REMARKS

In view of the above amendments and the following remarks, reconsideration of the rejections contained in the Office Action of December 11, 2007 is respectfully requested.

By this Amendment, claims 1 and 9 have been amended, and claim 8 has been cancelled. Thus, claims 1-7 and 9-20 are currently pending in the application. No new matter has been added by these amendments.

In particular, it is noted that independent claim 1 has been amended to include the limitations of claim 8, and that claim 9 (which formerly depended from claim 8) has been amended to depend from claim 1. As the Examiner has already considered these exact limitations, it is respectfully submitted that these amendments do not raise new issues for consideration by the Examiner, and entry of the amendments is thus respectfully requested.

On pages 2-3 of the Office Action, the Examiner rejected claims 1, 2, 5, 6, 8, 9, 12 and 17 under 35 U.S.C. § 103(a) as being unpatentable over Matsuzaki et al. (JP 2001-270281). For the reasons discussed below, it is respectfully submitted that the amended claims are clearly patentable over the prior art of record.

The present invention is directed to a writing implement which has a center of gravity at a position between a position 20 mm from a writing tip and a position corresponding to the middle of the overall length of the writing implement. Further, a weight of a portion of the writing implement between the position 20 mm from the writing tip and the position corresponding to the middle of the overall length of the writing implement is not less than 50% of the total weight of the writing implement. As discussed on page 4 of the original specification, the concentration of the weight of the writing implement near the center of gravity produces an improved sensation of balance and stability when using the writing implement. Further, the rotational inertia of the writing implement is between 4,300 and 25,000 gf·mm^2 about an axis passing through the center of gravity. Reducing the rotational inertia of the writing implement in this way increases the ability of the writing implement to be smoothly operated in minute, reciprocating, turning motions, as discussed on page 9 of the original specification.

Amended independent claim 1 recites a writing implement having a center of gravity at a

position between a position 20 mm from a writing tip and a position corresponding to a middle of an overall length of the writing implement. Claim 1 also recites that a weight of a portion of the writing implement between the position 20 mm from the writing tip and the position corresponding to the middle of the overall length of the writing implement is not less than 50% of a total weight of the writing implement. Further, claim 1 recites that a rotational inertia of the writing implement is between 4,300 and 25,000 gf·mm^2 about an axis passing through the center of gravity.

Matsuzaki discloses a writing implement which, as shown in Fig. 1, includes a main body tube 11 having a front region 16, a rear region 17 and an intermediate region 18 between the front region 16 and the rear region 17. Matsuzaki also discloses that the diameter of the intermediate region 18 is smaller than the diameter of the front region 16 and the diameter of the rear region 17, such that the center of gravity is in the intermediate region 18. However, as noted by the Examiner on page 2 of the Office Action, Matsuzaki does not disclose a writing implement in which *a weight of a portion of the writing implement between the position 20 mm from the writing tip and the position corresponding to the middle of the overall length of the writing implement is not less than 50% of the total weight of the writing implement*, as required by independent claim 1. Further, as noted by the Examiner on page 3 of the Office Action, Matsuzaki does not disclose that *a rotational inertia of the writing implement is between 4,300 and 25,000 gf·mm^2 about an axis passing through the center of gravity*, as required by independent claim 1. Nonetheless, the Examiner asserts that it would have been obvious to one of ordinary skill in the art to modify the writing implement of Matsuzaki such that a portion of the writing implement between the position 20 mm from the writing tip and the position corresponding to the middle of the overall length of the writing implement is not less than 50% of the total weight of the writing implement, and such that a rotational inertia of the writing implement is between 4,300 and 25,000 gf·mm^2 about an axis passing through the center of gravity.

However, it is first noted that on page 2 of the Office Action, the Examiner asserts that the limitation in which a weight of a portion of the writing implement between the position 20

mm from the writing tip and the position corresponding to the middle of the overall length of the writing implement is not less than 50% of the total weight of the writing implement would have been obvious "especially since" Matsuzaki discloses that the center of gravity is in the middle of the implement "with the weight obviously not less than 50% of the total weight."

In this regard, it is noted that Matsuzaki is does not disclose a particular weight distribution in the writing implement. Rather, Matsuzaki only discloses that the center of gravity is located in the intermediate section 18 which decreases in diameter towards the center of the intermediate section. Matsuzaki also discloses that the ends of the intermediate section 18 increase in diameter towards the larger front section 16 and rear section 17, respectively. In this regard, it is noted that Matsuzaki does not disclose the weight of the intermediate section 18 compared to the other sections. Further, by disclosing that the outer sections (the front section 16 and the rear section 17) are larger in diameter than the intermediate section 18, Matsuzaki suggests that the majority of the weight is concentrated in the outer ends of the writing implement. Therefore, in view of the above, it is respectfully submitted that Matsuzaki does not disclose or even remotely suggest that the weight of the middle of the implement is "obviously not less than 50% of the total weight," as stated by the Examiner.

Further, in addition to the absence of a disclosure regarding the weigh distribution of the writing implement in Matsuzaka, it is noted that Matsuzaka is also completely silent as to the rotational inertia of the writing implement. Moreover, it is noted that rotational inertia increases with mass and the distance of the mass from the center of gravity. As indicated above, Matsuzaka suggests that the majority of the weight of the writing implement is concentrated in the outer ends of the writing implement which have the large diameter compared to the small diameter of the intermediate section. Therefore, because Matsuzaka suggests that the heavier portions of the writing implement are farthest away from the center of gravity, Matsuzaka also suggests a writing implement in which the rotational inertia is maximized. Therefore, it is respectfully submitted that it would not have been obvious to one of ordinary skill in the art to modify the writing implement of Matsuzaka to have a rotational inertia between 4,300 and 25,000 gf·mm^2 about an axis passing through the center of gravity because Matsuzaka does not

disclose the rotational inertia of the writing implement, and because Matsuzaka suggests arranging the heavier portions of the writing implement at the outer ends of the writing implement, which would produce a maximized rotational inertia above the claimed range.

Therefore, for the reasons presented above, it is believed apparent that the present invention as recited in amended independent claim 1 is not disclosed or suggested by the Matsuzaka reference, and that a person having ordinary skill in the art would clearly not have modified the Matsuzaka reference in such a manner as to result in or otherwise render obvious the present invention of independent claim 1.

It is noted that claims 3, 4, 7, 10, 11, 13-16 and 18-20 have been withdrawn from further consideration by the Examiner as being drawn to a non-elected species. In this regard, it is respectfully submitted that amended independent claim 1 is generic to all of dependent claims 2-7 and 9-20.

Therefore, it is respectfully submitted that amended independent claim 1, as well as claims 2-7 and 9-20 which depend therefrom, are clearly allowable over the prior art of record.

In view of the foregoing amendments and remarks, it is respectfully submitted that the present application is clearly in condition for allowance. An early notice to that effect is respectfully solicited.

If, after reviewing this Amendment, the Examiner feels there are any issues remaining which must be resolved before the application can be passed to issue, the Examiner is respectfully requested to contact the undersigned by telephone in order to resolve such issues.

Respectfully submitted,

Yoshihiro KOBAYASHI et al.

By: _____

Walter C. Pledger
Registration No. 55,540
Attorney for Applicants

WCP/lkd
Washington, D.C. 20006-1021
Telephone (202) 721-8200
Facsimile (202) 721-8250
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